

ORIGINAL

COMMISSIONERS  
GARY PIERCE - Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

OPEN MEETING ITEM



0000137697

ARIZONA CORPORATION COMMISSION

2012 JUL -3 A 10:43

DATE: JULY 3, 2012

DOCKET NO.: E-00000A-11-0113

TO ALL PARTIES:

Arizona Corporation Commission  
DOCKETED

JUL 03 2012



Enclosed please find the recommendation of Administrative Law Judge Lyn Farmer. The recommendation has been filed in the form of an Order on:

RESOURCE PLANNING AND PROCUREMENT  
IN 2011 AND 2012  
(WAIVER)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

JULY 12, 2012

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

JULY 18, 2012 AND JULY 19, 2012

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 GARY PIERCE - Chairman  
4 BOB STUMP  
5 SANDRA D. KENNEDY  
6 PAUL NEWMAN  
7 BRENDA BURNS

8  
9 IN THE MATTER OF RESOURCE PLANNING  
10 AND PROCUREMENT IN 2011 AND 2012.

DOCKET NO. E-00000A-11-0113

11 ORDER

12 Open Meeting  
13 July 18 and 19, 2012  
14 Phoenix, Arizona

15 \* \* \* \* \*

16 Having considered the entire record herein and being fully advised in the premises, the  
17 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

18 **BY THE COMMISSION:**

19 **FINDINGS OF FACT**

20 1. On March 11, 2011, the Commission opened this docket for the purpose of filings  
21 related to Resource Planning and Procurement in 2011 and 2012.

22 2. Intervention has been granted to Southwest Energy Efficiency Project, Western  
23 Resource Advocates, and the Arizona Competitive Power Alliance.

24 3. On June 21, 2012, the Commission's Utilities Division ("Staff") filed a Request for  
25 Waiver ("Request"). In its Request, Staff stated that pursuant to A.A.C. R14-2-704(A) it must file,  
26 by October 1, 2012, a Staff Report containing its analysis and conclusions regarding its statewide  
27 review and assessments of the Integrated Resource Plan filings submitted by Arizona Public Service  
28 Company, Tucson Electric Power Company, UNS Electric, Inc., and Arizona Electric Power  
Cooperative, Inc. According to the Request, on June 19, 2012, Staff retained the services of Global  
Energy & Water Consulting, LLC ("consultant") to assist Staff in the preparation of the Staff Report.

1 After discussions of the scope of the Staff Report with the consultant, Staff learned that it will need  
2 additional time to file its Staff Report. Staff requests that the Commission waive A.A.C. R-14-2-  
3 704(A) and allow Staff to file the Staff Report no later than December 1, 2012.

4 4. The Commission has received no objections to Staff's Request.

5 5. Good cause has been shown and accordingly, Staff's Request should be granted.<sup>1</sup>

6 6. Additionally, a corresponding extension of the February 1, 2013 time deadline in  
7 A.A.C. R-14-2-704(B) is necessary in order to allow the Commission sufficient time to review the  
8 Staff Report and issue an Order.

9 7. Although we are granting extensions in this docket, Staff shall use its best efforts to  
10 process and file its Staff Report prior to December 3, 2012, so that the Commission's Decision can be  
11 issued prior to April 1, 2013.

#### 12 CONCLUSIONS OF LAW

13 1. The Commission has jurisdiction of this matter pursuant to the Arizona Constitution,  
14 Art. 15, §§ 3 and 13 and A.R.S. §§ 40-202(A), 40-203, 40-204(A), 40-281(A), 40-282(C), 40-321(A),  
15 and 40-322(A).

16 2. An extension of the timeframes contained in A.A.C. R-14-2-704(A) and (B) is  
17 appropriate and necessary for Staff to prepare its Staff Report with analysis, conclusions, and  
18 assessments and for the Commission to review the Staff Report and to issue an Order in this matter.

19 3. The timeframes set forth in A.A.C. R-14-2-704(A) and (B) should be extended as set  
20 forth herein.

#### 21 ORDER

22 IT IS THEREFORE ORDERED that Staff's Request for Waiver of A.A.C. R-14-2-704(A) is  
23 hereby granted.

24 IT IS FURTHER ORDERED that Staff shall file its Staff Report no later than December 3,  
25 2012.

26  
27  
28 <sup>1</sup> December 1, 2012 is a Saturday.

IT IS FURTHER ORDERED that the timeframe contained in A.A.C. R-14-2-704(B) for a Commission Order is hereby extended until April 1, 2013.

IT IS FURTHER ORDERED that Staff shall use it best efforts to process and file its Staff Report prior to December 3, 2012, so that the Commission's Decision can be issued prior to April 1, 2013.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

ERNEST G. JOHNSON  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

1 SERVICE LIST FOR:

RESOURCE PLANNING AND PROCUREMENT IN  
2011 AND 2012

3 DOCKET NO.:

E-00000A-11-0113

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